

Prepared by and return to:

Reba H. Sime

Reba H. Sime, Attorney  
Tennessee Valley Authority  
1101 Market Street, EB 4A  
Chattanooga, Tennessee 37402-2801  
(423) 751-2099

STATE MS. - DESOTO CO. <sup>60</sup>  
FILED <sup>18</sup>

JUN 5 1 56 PM '97

BK 317 PG 195  
W.E. DAVIS CH. CLK.

TVA Tract No. FRM-122

## GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of FIFTEEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$15,300.00), cash in hand paid, receipt whereof is hereby acknowledged, the undersigned,

CARLEE, INC.,  
a Mississippi corporation,

has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol one line of poles or transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within 5 feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyance of this property is deed of record in Deed Book 306, page 701, in the office of the Chancery Court Clerk of Desoto County, Mississippi.

This easement is conveyed subject to existing easement rights owned by the United States of America.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

CARLEE, INC., covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

CARLEE, INC., agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said line.

CARLEE, INC., for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no buildings or fire hazards will be erected or maintained within the limits of the right-of-way, and agrees that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

GLENN F. OLITA, JR., and wife, AMELIA C. HUDSON OLITA, declare that they are the lawful owners and holders of the indebtedness secured by the trust deed of CARLEE, INC., recorded in Trust Deed Book 858, page 383, in Desoto County, Mississippi, and for a valuable consideration, join in this instrument and subordinate the lien of said trust deed to the easement herein granted, but otherwise specifically retain said lien.

IN WITNESS WHEREOF, CARLEE, INC., has caused this instrument to be executed by its duly authorized officers and its corporate seal to be hereunto affixed on this the 5 day of June, 1997.

ATTEST:

By: Carlee JohnsonTitle: President

CARLEE, INC., a Mississippi corporation

By: [Signature]Title: V.P.

Charles E. Shiner  
SUBSCRIBING WITNESS

Glenn F. Olita, Jr.  
GLENN F. OLITA, JR.  
Amelia C. Hudson Olita  
AMELIA C. HUDSON OLITA

STATE OF MISSISSIPPI

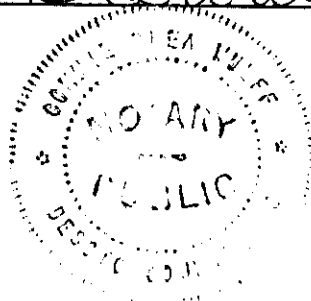
COUNTY OF DESOTO

)  
) SS  
)

Before me appeared Carlee D. Johnson, Lee Cath & President V.P., to me personally known, who, being by me duly sworn, did say that she is the President & VP of CARLEE, INC., a Mississippi corporation, and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed, and delivered on behalf of said corporation, by authority of its Board of Directors, and she, as such officer, acknowledged said instrument to be the free act and deed of said corporation on the day and year therein mentioned.

WITNESS my hand and official seal this 5<sup>th</sup> day of June, 19 97.

Connie F. DeWitt  
NOTARY PUBLIC



My Commission Expires: June 17, 1999

TVA TRACT NO. FRM-122

STATE OF MISSISSIPPI )  
 ) SS  
 COUNTY OF DESOTO )

Personally appeared before me W.E. DAVIS, the Chancery Court Clerk in and for said county and state, CHARLES E. SHIREY the subscribing witness to the foregoing instrument, who, being first duly sworn, deposeth and saith that he saw the above named GLENN F. OLITA, JR., and wife, AMELIA C. HUDSON OLITA, whose names are subscribed thereto, sign and delivered the same to the UNITED STATES OF AMERICA; and that he, this affiant, subscribed his name as a witness thereto in the presence of the said GLENN F. OLITA, JR., and wife, AMELIA C. HUDSON OLITA.

WITNESS my hand and official seal of office in the state and county aforesaid, this the 5<sup>TH</sup> day of JUNE, 1997.

W.E. Davis, Chancery Clerk  
 Chancery Court Clerk W.P. Dickey, Jr.  
 MY COMMISSION EXPIRES  
 JAN. 3, 2000

The name and address of the owner of the aforescribed easement is:

EASEMENT OWNER: United States of America [Tax Exempt - Miss. Code §27-37-301]  
 Tennessee Valley Authority  
 EB 4A  
 1101 Market Street  
 Chattanooga, Tennessee 37402-2801  
 Telephone: (423) 751-3542

The name and address of the legal owner is:

OWNER: CARLEE, INC. (See D.B. 306, page 701)  
 4281 Mary Jane  
 Olive Branch, Mississippi 38654

INDEXING INFORMATION: NW1/4 of SW1/4 ) Section 9,  
 SW1/4 of NW1/4 ) T2S, R5W  
 SE1/4 of NW1/4 )

## FREEPORT - MILLER

Carlee, Inc., A Mississippi Corporation

A permanent easement for transmission line purposes on, over, and across a parcel of land located in Section 9, Township 2 South, Range 5 West of DeSoto County, State of Mississippi, as shown on sheet 13 of US-TVA drawing LW-8034, Revision 2, the said parcel being more particularly described as follows:

Commencing at the southwest corner of Section 9, Township 2 South, Range 5 West and the southeast corner of Section 8, Township 2 South, Range 5 West; thence N.  $0^{\circ} 13' 19''$  W., 1065 feet along the west line of Section 9 and the east line of Section 8 to a point, said point being in the centerline of the transmission line location at survey station 1430 + 99.70; thence leaving said point and with the centerline of the said location N.  $28^{\circ} 20' 44''$  E., 891.90 feet to a point, said point being in the south property line of the land of Carlee, Inc., A Mississippi Corporation, and in the north property line of the land of Gordon R. Brent et al at survey station 1439 + 91.60, and said point being N.  $89^{\circ} 45' 28''$  E., 249 feet from a property corner common between the lands of Carlee, Inc., A Mississippi Corporation, and Gordon R. Brent et al, said point being the point of beginning.

Thence from the point of beginning and along the said property line S.  $89^{\circ} 45' 28''$  W., 56.94 feet to a point, said point being in the northwest right-of-way line of the said location; thence leaving said point and with the said right-of-way line N.  $28^{\circ} 20' 44''$  E., crossing the east - west 1/4 section line of Section 9, 1022.52 feet; thence continuing with said right-of-way line N.  $75^{\circ} 52' 25''$  E., crossing the west right-of-way line of Northcentral Mississippi Electric Power Associations existing Miller - Miller District Transmission Line as shown on sheets 2 & 3 of US-TVA drawing LW-6471, 649.56 feet to a point, said point being in the centerline of the said existing transmission line, and said point being in the terminating right-of-way line of section 4 of the said location at survey station 1454 + 46.40; thence leaving said point and continuing along said right-of-way line N.  $75^{\circ} 52' 25''$  E., 38.64 feet to a point, said point being in the east right-of-way line of the said location, said right-of-way line being common with the east right-of-way line of the said existing transmission line; thence leaving said point and with the said right-of-way lines S.  $0^{\circ} 11' 00''$  E., 103.04 feet to a point, said point being in the south right-of-way line of the said location; thence leaving said point and with said right-of-way line S.  $75^{\circ} 52' 25''$  W., crossing the west right-of-way line of said existing transmission line 619.34 feet; thence continuing with said right-of-way line S.  $28^{\circ} 20' 44''$  W., 105.69 feet to a point, said point being 50.00 feet right of survey station 1448 + 37.17, and said point being in the south property line of the land of Carlee, Inc., A Mississippi Corporation, and in the north property line of the land of Gordon R. Brent et al, said property line being the east - west 1/4 section line of Section 9; thence leaving said point and with the said property line and with the said 1/4 section line S.  $89^{\circ} 57' 35''$  W., 31.20 feet to a point, said point being a property corner common between the lands of Carlee, Inc., A Mississippi Corporation, and Gordon R. Brent et al, said point being 22.55 feet right of survey station 1448 + 22.34; thence leaving said point and with the east property line of the land of Carlee, Inc., A Mississippi Corporation, and the west property line of the land of Gordon R. Brent et al, S.  $0^{\circ} 19' 22''$  W., 58.42 feet to a point, said point being 50.00 feet right of survey station 1447 + 70.77, said point being in the southeast right-of-way line of the said

location; thence leaving said point and with the said right-of-way line S. 28° 20' 44" W., 751.90 feet to a point, said point being in the south property line of the land of Carlee, Inc., A Mississippi Corporation, and in the north property line of the land of Gordon R. Brent et al; thence leaving said point and with the said property line S. 89° 45' 28" W., 56.94 feet to the point of beginning and containing 3.7 acres, more or less.

The above described parcel of land is lying partially in the northwest 1/4 of the southwest 1/4, partially in the southwest 1/4 of the northwest 1/4, and partially in the southeast 1/4 of the northwest 1/4 of Section 9, Township 2 South, Range 5 West.

Furthermore, said permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey stations 1449 + 64.88 and 1455 + 80.01 L.B. = 1453 + 94.93 L.A.

4/22/97

Received 4/30/97